UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

DENNIS W. STRUTTON and)	
MARK MURRELL,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:05-CV-2022-ERW
)	
LINDA MEADE, et al.,)	
)	
Defendants.)	

ORDER AND MEMORANDUM

On January 3, 2006, plaintiff Mark Murrell filed Motion for Joinder, seeking to join plaintiff Dennis Strutton in the above-styled action. Plaintiff Murrell is named in the caption of plaintiffs' First Amended Complaint, filed January 5, 2006, and signed said complaint. However, plaintiff Murrell has submitted neither "Motion to Proceed without Prepayment of Costs" nor "Affidavit in Support Thereof (Financial Affidavit - CJA Form 23)."

If plaintiff Murrell wishes to join in the instant action and to proceed in forma pauperis, he must submit a motion to proceed in forma pauperis and a statement of his financial information set forth on a form provided by the Court. *See* 28 U.S.C. § 1915(a); Local Rule 2.05(A). Without such submissions, the Court is unable to determine whether plaintiff is financially unable to pay the filing fee. Because plaintiff is proceeding pro se, the Court will grant him additional time in which to submit the requisite forms, as set forth below.

In accordance with the foregoing,

IT IS HEREBY ORDERED that plaintiff' Murrell's motion for joinder [Doc. 14] be **DENIED**, with leave to refile said motion with the proper forms, as set forth herein.

IT IS FURTHER ORDERED that the Clerk of Court shall provide plaintiff Murrell with the Court forms entitled "Motion to Proceed without Prepayment of Costs" and "Financial Affidavit - CJA23."

IT IS FURTHER ORDERED that plaintiff Murrell shall have twenty (20) days from the date of this Order to refile his motion for joinder with a fully completed and signed "Motion to Proceed without Prepayment of Costs" and "Financial Affidavit - CJA 23," or with the statutory filing fee of \$250.00.

IT IS FURTHER ORDERED that, if plaintiff timely refiles his motion for joinder with "Motion to Proceed without Prepayment of Costs" and "Financial Affidavit - CJA 23," the Clerk shall cause this case to be resubmitted to the Court for review under 28 U.S.C. § 1915.¹

So Ordered this 9th Day of January, 2005.

E. RICHARD WEBBER UNITED STATES DISTRICT JUDGE

¹If plaintiff pays the filing fee, he will be responsible for serving the summons and complaint upon the defendants. *See* Fed. R. Civ. P. 4(d). Service must be made within 120 days of the filing of the complaint (in the instant case, within 120 days of the payment of the filing fee). *See* Fed. R. Civ. P. 4(m). Plaintiff is advised that he may seek guidance on serving the defendants from the Office of the Clerk.